

**COMMUNITY SERVICES BLOCK
GRANT PROGRAM**

Information Memorandum

U.S. Department of Health and Human Services
Administration for Children and Families
Office of Community Services
Division of State Assistance
370 L'Enfant Promenade, S.W.
Washington, D.C. 20447
<http://www.acf.gov/programs/ocs/csbg>

COMMUNITY ACTION AGENCIES

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Date: April 5, 2001

VTO: COMMUNITY SERVICES BLOCK GRANT STATE OFFICIAL
COMMUNITY SERVICES BLOCK GRANT STATE PROGRAM
CONTACT AND INTERESTED PARTIES

SUBJECT: Policy Guidance on Serving Persons with Limited English Proficiency

RELATED
REFERENCES: Community Services Block Grant Act, (Public Law. 97-35) as amended
(42 U.S.C. 8621 et seq.); Title VI of the Civil Rights Act of 1964, 42
U.S.C. 2000d et seq. and its implementing regulation at 45 C.F.R. Part 80;
and Guidance on the Title VI Prohibition Against National Origin
Discrimination As It Affects Persons with Limited English Proficiency, as
published in the Federal Register on August 30, 2000 (65 FR pages 52672-
52774).

PURPOSE: To clarify the responsibilities of providers of health and social services
who receive Federal financial assistance from the U.S. Department of
Health and Human Services (HHS), and to assist them in fulfilling their
responsibilities to persons with limited English proficiency.

BACKGROUND: Title VI of the Civil Rights Act of 1964, (42 U.S.C. 2000d et seq.) and its
implementing regulation at 45 C.F.R. Part 80 provides that no person shall
be subjected to discrimination on the basis of race, color, or national origin
under any program or activity that received Federal financial assistance. In
Lau v. Nichols, 414 U.S. 563 (1974), the Supreme Court recognized that
recipients of Federal financial assistance have an affirmative
responsibility, pursuant to Title VI, to provide persons with Limited
English Proficiency (LEP) with meaningful opportunity to participate in
public programs.

CONTENT: On August 30, 2000, the Office for Civil Rights within the U.S.
Department of Health and Human Services (HHS) issued policy guidance
concerning the Title VI prohibition against national origin discrimination
as it affects Limited English Proficient (LEP) persons. Specifically, the
guidance clarifies how this prohibition applies to health and social service
providers who receive Federal financial assistance from HHS (65 FR
pages 52672-52774). It is consistent with a Department of Justice
directive noting that recipient/covered entities have an obligation pursuant

to Title VI's prohibition against national origin discrimination to provide oral and written language assistance to LEP persons.

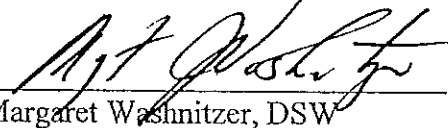
This policy guidance took effect immediately upon publication in the Federal Register.

States and many other providers of health and social services have legal obligations to comply with Title VI of the Civil Rights Act of 1964 and its implementing regulation. The policy guidance reiterates HHS' longstanding position that in order to avoid discrimination against LEP persons on grounds of national origin, health and social service providers must take adequate steps to ensure that such persons receive free of charge the language assistance necessary to afford them meaningful access to the services. The guidance also clarifies for health and social service providers, and members of the public, that a recipient or covered entity must assess what steps it can take to ensure that eligible LEP persons have meaningful access to programs and services. This guidance also provides examples of policies and practices that the Office for Civil Rights, HHS, would find in violation of Title VI, and sets out the policies, procedures and other steps that recipients can take to ensure meaningful access to their programs by LEP persons. Appendix A to the guidance is a series of questions and answers that provides a useful summary of a number of the major aspects of the guidance.

Expenses incurred in the provision of LEP services to CSBG recipients or potential recipients may be covered with CSBG.

- ATTACHMENTS:
- (1) List of Regional Managers in the Office for Civil Rights, DHHS.
 - (2) Federal Register Notice, Guidance on the Title VI Prohibition Against National Origin Discrimination as It Affects Persons with Limited English Proficiency, including Appendix A & B (65 FR 52672-52774, dated August 30, 2000).

INQUIRIES TO: Inquiries should be directed to the Regional Managers in the Office for Civil Rights, DHHS or to: Ms. Mae Brooks, Chief, Community Services Block Grant, Division of State Assistance, Office of Community Services, ACF, HHS, 370 L'Enfant Promenade, S.W., Washington, D.C. 20447 Telephone (202) 401-9343; Fax: (202) 401-5718.


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